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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 6,887,847
Issued : May 3, 2005
Application No. : 10/079,075
Filed : February 19, 2002
Inventor(s) : Ronald C. Montelaro et al.
Docket No. : 027704.00001
Customer No. : 38485
For : VIRUS DERIVED ANTIMICROBIAL PEPTIDES

**Certificate
of Correction**
MAR 13 2007

**REQUEST FOR
CERTIFICATE OF CORRECTION UNDER 1.322**

Mail Stop:
Certificate of Correction
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: March 5, 2007

Sir:

A request is herewith made, to accept and seal of the attached Certificate of Correction under 37 CFR 1.322 and to make the correction of record in the file history of the above-identified patent.

On January 26, 2005 an Amendment under 37CFR 1.312 was filed with the Patent and Trademark Office making amendments to Claim 1, together with the payment of the Issue Fee. A copy of the Rule 312 Amendment is attached. The requested amendments were not entered

NYC/322328.1

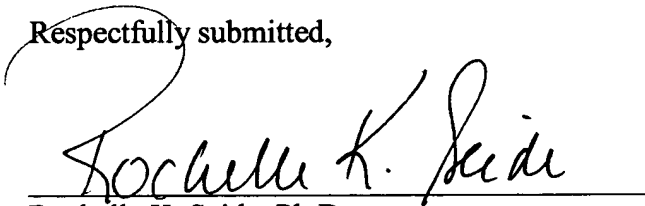
MAR 13 2007

leaving the issued claim as it was prior to the amendment. The correction to Claim 1 is supported by the attached Amendment as stated in 1.322(b)

It is respectfully requested that the Certificate of Correction be made under 37 CFR 1.322 for the above identified patent be issued to correct this error.

It is believed that no fees are required for filing the Certificate of Correction. Any additional fees which may be due with respect to this paper may be charged to Attorney's Account No. 01-2300 under **027704.00001**.

Respectfully submitted,

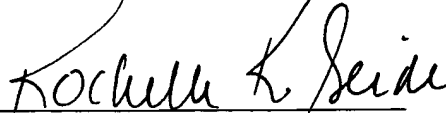
A handwritten signature in cursive script, reading "Rochelle K. Seide", is written over a horizontal line.

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CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service under 37 C.F.R. 1.8 on the date indicated below as first class mail and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: March 5, 2007

A handwritten signature in cursive script, reading "Rochelle K. Seide", is written over a horizontal line.

Rochelle K. Seide, Ph.D.

Reg. No. 32,300

MAR 13 2007



A34001-A 072396.0238
PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ronald C. Montelaro et al.
Serial No. : 10/079,075 Examiner : Liu, Samuel W.
Filed : February 19, 2002 Group Art Unit : 1653
For : VIRUS DERIVED ANTIMICROBIAL PEPTIDES

AMENDMENT UNDER 37 C.F.R. §1.312

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

January 26, 2005

Date of Deposit

Rochelle K. Seide

Attorney Name

Rochelle K. Seide
Signature

32,300

PTO Registration No.

January 26, 2005

Date of Signature

Mail Stop Issue Fee

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.312, please amend the above-identified application as indication in the listing of the claims. The present submission accompanies the payment of the issue fee.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

MAR 13 2007

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of claims

1. (Currently amended) An isolated and purified peptide having an amino acid sequence selected from the group consisting of:

RVVRVRRRVRR (SEQ ID NO:4);

RRVRRRVRRRVRRRVRRRVRR (SEQ ID NO: 5);

VRRVRRRVRRRVRRRVRRRVRRRVRRRVRRRVRR (SEQ ID NO: 6);

RRVRRRVRRRVRRRVRRRVRRRVRRRVRRRVRRRVRRRVRR

(SEQ ID NO:7);

RVVRVRRRVRRRVRRRVRRRVRRRVRRRVRRRVRRRVRRRV

VRR (SEQ ID NO:8);

RVVRVRRWVRR (SEQ ID NO:9);

RRWRRRVRRVRRRVRRRVRRWVRR (SEQ ID NO:10);

VRRVWRRVRRVRRWVRRRVRRVWRRVRRVRRWVRR (SEQ ID

NO:11); and

RVVRVRRWVRRRVRRVWRRVRRVRRWVRRRVRRVWRRVRRVRR

WRVV (SEQ ID NO:12).

2-7. (Cancelled)

8. (Original) The peptide of claim 1 having the amino acid sequence:

RVVRVRRRVRR (SEQ ID NO:4)

9. (Original) A composition comprising the peptide of claim 8 and a carrier.

10. (Original) The peptide of claim 1 having the amino acid sequence:

RRVVRRVRRVRRVVRVRRVRR (SEQ ID NO: 5).

11. (Original) A composition comprising the peptide of claim 10 and a carrier.

12. (Original) The peptide of claim 1 having the amino acid sequence:

VRRVRRVRRVRRVRRVRRVRRVRRVRRVRR (SEQ ID NO: 6).

13. (Original) A composition comprising the peptide of claim 12 and a carrier.

14. (Original) The peptide of claim 1 having the amino acid sequence:

RRVVRRVRRVRRVRRVRRVRRVRRVRRVRRVRRVRR
(SEQ ID NO:7);

15. (Original) A composition comprising the peptide of claim 14 and a carrier.

16. (Original) The peptide of claim 1 having the amino acid sequence:

RVVRVRRVRRVRRVRRVRRVRRVRRVRRVRRVRRVRRV
VRR (SEQ ID NO:8).

17. (Original) A composition comprising the peptide of claim 16 and a carrier.

18. (Original) The peptide of claim 1 having the amino acid sequence:

RVVRVRRWVRR (SEQ ID NO:9).

19. (Original) A composition comprising the peptide of claim 18 and a carrier.

20. (Original) The peptide of claim 1 having the amino acid sequence:

RRVVRRVRRVRRVRRVRRVRRVRR (SEQ ID NO:10).

21. (Original) A composition comprising the peptide of claim 20 and a carrier.

22. (Original) The peptide of claim 1 having the amino acid sequence:

VRRVWRRVRRVRRVRRVRRVRRVRRVRRVRRVRR (SEQ ID
NO:11);

24. (Original) The peptide of claim 1 having the amino acid sequence:

WRVV (SEQ ID NO:12).

- 29-33. (Cancelled)

- RVVRVRRRVVRR (SEQ ID NO:4);

RRVRRVRRVRRVRRVRRVRR (SEQ ID NO: 5);

VRRVRRVRRVRRVRRVRRVRRVRRVRRVRRVRR (SEQ ID NO: 6);

RRVRRVRRVRRVVRVRRVRRVRRVRRVRRVRRVRR

(SEQ ID NO:7);

RVVRVRRVRRVRRVRRVRRVRRVRRVRRVRRVRRVRRV

VRR (SEQ ID NO:8);

RVVRVRRWVRR (SEQ ID NO:9);

RRWVRRVRRVWRRVVRVRRWVRR (SEQ ID NO:10);

VRRVWRRVVRVVRWVRRVRRVWRRVVRVVRWVRR (SEQ ID

NO:11); and

RVVRVVRWVRRVRRVWRRVVRVVRWVRRVRRVWRRVVRVVR

WRVV (SEQ ID NO:12),

and at least one additional residue wherein said peptide analog comprises an
amphipathic α -helical structure.

35. (Previously presented) A solid phase substrate comprising at least one peptide
selected from the group consisting of:

RVVRVVRWVRR (SEQ ID NO:4);

RRVRRVRRVVRVVRVVRVRR (SEQ ID NO: 5);

VRRVVRVVRVVRVVRVRRVRRVVRVVRVVR (SEQ ID NO: 6);

RRVRRVRRVVRVVRVVRVRRVRRVVRVVRVVR

(SEQ ID NO:7);

RVVRVVRVVRVRRVVRVVRVVRVVRVVRVVRVVRVVRVVRV

VRR (SEQ ID NO:8);

RVVRVVRWVRR (SEQ ID NO:9);

RRVRRVRRVWRRVVRVVRWVRR (SEQ ID NO:10);

VRRVWRRVVRVVRWVRRVRRVWRRVVRVVRWVRR (SEQ ID

NO:11); and

RVVRVVRWVRRVRRVWRRVVRVVRWVRRVRRVWRRVVRVVR

WRVV (SEQ ID NO:12).

36. (Original) The solid phase substrate of claim 35 wherein said solid phase substrate is
a prosthetic device.

- RVVRRVVRRVVRR (SEQ ID NO:4);
- RRVVRRVVRRVVRRVVRRVVRRVVRR (SEQ ID NO: 5);
- VRRVVRRVVRRVVRRVVRRVVRRVVRRVVRRVVRR (SEQ ID NO.
- 6);
- RRVVRRVVRRVVRRVVRRVVRRVVRRVVRRVVRRVVRRVVRR
- (SEQ ID NO:7);
- RVVRRVVRRVVRRVVRRVVRRVVRRVVRRVVRRVVRRVVRRVVRR
- VRR (SEQ ID NO:8);
- RVVRRVVRRWVRR (SEQ ID NO:9);
- RRWVRRVVRRVVRRVVRRWVRR (SEQ ID NO:10);
- VRRVWRRVVRRVVRRWVRRVVRRVWRRVVRRVWRR (SEQ ID
- NO:11); and
- RVVRRVVRRWVRRVVRRVVRRVVRRVVRRVVRRVVRRVVRRVVRR
- WRVV (SEQ ID NO:12).

41. (Original) The peptide-cargo complex of claim 40 wherein said peptide has antimicrobial activity and said cargo increases the antimicrobial activity of said peptide.

42-65 (Cancelled)

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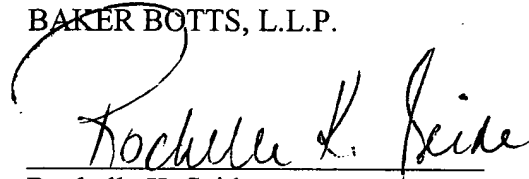
REMARKS

A Notice of Allowance for this application was mailed on November 18, 2004. Claims 1, 8-28 and 34-41 have been deemed allowable. It has come to the Applicants' attention that the Claim 1 is missing the term "peptide" and creates lack of antecedent basis for dependent claims. Thus, the Applicants have made an amendment to Claim 1 to correct this inadvertent error. It is respectfully submitted that this amendment does not require any additional search or examination, and is directed only to the correction of formal matters.

Amendments to claims 23 and 39 made by the Examiner in the Examiner's Amendment, attached to the Notice of Allowability, are presented in the listing of the claims, each of which is designated as "previously presented."

Respectfully submitted,

BAKER BOTTS, L.L.P.



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